

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARION FRANCIS; ANITA GARRET;
REGINA LEWIS,

Plaintiffs,

-against-

UNITED STATES OF AMERICA;
FEDERAL BUREAU OF PRISONS,

Defendants.
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ORDER OF DISMISSAL
12 Civ. 7516 (LAP)

LORETTA A. PRESKA, Chief United States District Judge:

By order dated November 15, 2012, the Court directed the Plaintiffs to pay the \$350.00 filing fee or submit a completed request to proceed *in forma pauperis* ("IFP application") for each Plaintiff and a single prisoner authorization within thirty days. That order specified that failure to comply would result in dismissal of the complaint. None of the Plaintiffs has paid the fee or filed the IFP application and prisoner authorization. Accordingly, the Court grants leave to proceed IFP for the limited purpose of dismissing the complaint without prejudice. The complaint is dismissed under Rule 41(b) of the Federal Rules of Civil Procedure for failure to comply with the Court's order. The Clerk of Court is directed to mail a copy of this order to the Plaintiffs.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

Coppedge v. United States, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED:

A handwritten signature in cursive script, reading "Loretta A. Preska".

LORETTA A. PRESKA
Chief United States District Judge

Dated: January 14, 2013
New York, New York